

# LEE COUNTY

NORTH CAROLINA

*Committed Today for a Better Tomorrow*

REGULAR MEETING  
OF THE  
LEE COUNTY BOARD OF COMMISSIONERS  
106 HILLCREST DRIVE  
SANFORD, NORTH CAROLINA 27330

September 8, 2014

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack.

Chairman Parks called the meeting to order and the following business was transacted:

Chairman Parks delivered the invocation.

The pledge of allegiance was recited.

At this time Chairman Parks presented *Resolutions of Appreciation* to Commissioner Kirk Smith for his work for the past two years with the Young Commissioners Leadership Class and Commissioner James Womack for his work on the Mining and Energy Commission. Copies of said Resolutions are attached to these Minutes and by this reference made a part hereof.

The Board considered additions/changes to the Agenda. Commissioner Dalrymple asked that an item be placed on New Business for discussion of recognition for outgoing Broadway Town Manager Bob Stevens. With no other changes made, Commissioner Dalrymple moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to amend the Agenda by moving the NC Cardinal Memorandum of Agreement item from New Business to the Consent Agenda. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the August 4, 2014 regular meeting,
- Minutes from the August 11, 2014 special called meeting,
- Minutes from the August 18, 2014 recessed meeting,
- Proclamation for Fall DOT Litter Sweep (copy attached),
- Tax Releases and Refunds for August 2014 (copy attached, and
- NC Cardinal Memorandum of Agreement (copy attached).

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute §153A-52.1, Chairman Parks opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Mr. Andy Stevens, 2109 Leona Drive, Greensboro (representing Leadership for Grass Roots of NC) – for repeal of Gun Ordinance on County Property
2. Mr. Kevin Dodson, 520 Valley Road, Sanford – for repealing of Gun Ordinance
3. Mr. Ed Underwood, 3309 Westcott Circle, Sanford – for repealing of Gun Ordinance
4. Mr. Stephen Nystrom, 2219 Lee Avenue, Sanford – for repealing of Gun Ordinance

At this time the Board heard comments from staff in reference to repeal of the Lee County Code of Ordinance Concerning Concealed Handguns on County Property that was discussed during the August 4<sup>th</sup> meeting. Social Work Supervisor Lisa Shearer (Social Services) gave reasons she and her staff were opposed to conceal carry in County owned buildings. Health Director Terrell Jones stated he was in favor of the concealed carry and shared reasons and comments presented by his staff.

The Board considered modifying portions of Chapter Two of the Lee County Code of Ordinances Concerning Concealed Firearms on County Property. Section 2-31 of the Code of Ordinances prohibits concealed handguns on County property. Commissioner Smith has asked the Board to consider modifying this code section to allow permitted concealed handguns on County property and in County buildings. It was noted that the counties of Cherokee, Henderson, Rowan and Alamance have already repealed their Ordinances. It was also noted that two readings of the Ordinance must take place before final approval. County Manager John Crumpton stated that after hearing comments from County employees, the staff recommends that, if the Commissioners allow concealed carry of handguns on County property, with a proper permit, rules must be put in place that clearly notify the public that conceal carry of handguns by permit is allowed. It is further recommended that the carrying of all other weapons and/or guns, including open carry, be prohibited by Ordinance and posted as such. Also, there will be limitations to the location where the public and employees can carry a properly permitted concealed handgun. The Courthouse, McSwain Center and General Services are locations that concealed carry will not be allowed. The County Ordinance does not take precedence over Federal and State laws and the permit holders must know these laws and abide by them. Commissioner Smith read the proposed Resolution and moved to approve the first reading. Commissioner Frazier moved to table the matter indefinitely. Upon a vote of the tabled motion, the results were as follows:

Aye: Dalrymple, Frazier, and Reives  
Nay: Knecht, Parks, Smith, and Womack

The Chairman ruled the motion failed with a 4 to 3 vote.

Discussion continued with County Manager John Crumpton reporting on a recent department head/supervisor meeting where staff were allowed to discuss and ask questions. He stated the majority opinion from staff is they would prefer not to have weapons in the workplace. Staff are against "open carry" and concerned about their fellow employees. Human Resource Director Joyce McGehee referenced concerns she had received from staff in reference to the matter. County Attorney Kerry Schmid stated the Board was only discussing handguns, and rules would need to be put in place from the beginning. Commissioner Frazier stated he did not think guns should be allowed in a public place. Commissioner Dalrymple stated conceal carry is not the answer – staff needs law enforcement protection. She feels this is setting employees up for a bad situation. After further discussion, and upon a vote of the original motion to approve the first reading, the results were as follows:

Aye: Knecht, Parks, Smith, and Womack  
Nay: Dalrymple, Frazier, and Reives

The Chairman ruled the motion had been adopted by a 4 to 3 vote and the second reading of the Ordinance would be on the October 6, 2014 Agenda.

The Board considered appointments to Boards/Commissions. Clerk to the Board Gaynell Lee presented applications for the Board of Health, Fire Advisory Board, Sanford Board of Adjustments, and Rest Home-Nursing Home Advisory Board. Commissioner Smith moved to approve the appointment of Ms. Mary Hawley Oates to the Board of Health as the "RN" representative. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Ms. Lee presented one application for the Fire Advisory Board. Commissioner Womack moved to approve the appointment of Mr. Erick Matilde to the Fire Advisory Board as a "General Public" representative. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Ms. Lee presented one application for the Sanford Board of Adjustments. Commissioner Womack moved to approve the appointment of Mr. Ronald Willett to the Sanford Board of Adjustments. Upon a vote, the results were as follows;

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Ms. Lee discussed appointments to the Rest Home-Nursing Home Advisory Board. It was stated that at the August 4<sup>th</sup> meeting Mr. Ronald Willett's application was mistakenly placed in the packet for appointment to the Rest Home-Nursing Home Advisory Board. Mr. Willett was asking to be placed on the Sanford Board of Adjustments and not the Rest Home Board. Mr. Willett works out of town and is unable to attend day meetings for this Board. Ms. Lee asked the Board to remove him from the Rest Home-Nursing Home Advisory Board and select one of the three applications presented to fill his vacant position. Commissioner Womack moved to remove Mr. Willett from the Rest Home-Nursing Home Advisory Board as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

After further discussion, Commissioner Womack moved that alternate member Linda Macormic be moved to the vacant position created by Mr. Willet. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay; None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Frazier moved to appoint Ms. Grace Taylor to the alternate position on the Rest Home-Nursing Home Advisory Board. Upon a vote, the results were as follows;

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an appointment to the Local Firemen's Relief Fund Board. Emergency Services Director Shane Seagroves stated that each fire department is made up of three (3) local members and two (2) members appointed by the Board of Commissioners. Each fire department will forward annual funds that are not appropriated to the North Carolina State Firemen's Association. Two appointments need to be made to serve on all the volunteer fire department boards and one to serve on the Cape Fear Fire Department Board. It was noted that in October 2013 Commissioners appointed Commissioner Kirk Smith and Donald Andrews to serve on the Fire Department Relief Fund Board and Commissioner Parks to serve on the Cape Fear Department Board along with Commissioner Smith. After discussion, Commissioner Smith moved to appoint Commissioner Dalrymple to the Cape Fear Department Board. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to reappoint Commissioner Smith and Donald Andrews to serve on the local fire department boards. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time the Board took a 10-minute recess. Upon returning from recess, with all members present, the meeting resumed.

The Board considered bids for rehabilitation of a house through the 2011 Scattered Site Housing Grant Program. Community Development Manager Karen Kennedy stated bids had been received for rehabilitation of a house located at 409 Price Street. Bids were received from the following:

Touch Construction, Sanford	\$ 50,455
JACS NC, Raleigh	\$ 71,860
Robert Strickland, Lumberton	\$ 57,480
Closer Look, Clayton	\$ 53,736

After discussion, Commissioner Smith moved to approve the lowest responsible bid from *Touch Construction* in the amount of \$50,455 for said project. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time the Board heard an update from the Environmental Review and Advisory Committee with recommendations concerning the proposed Oil and Gas Exploration and Development Rules. Ms. April Montgomery, Chair of the Environmental Review and Advisory Committee, presented the committee's four general areas of concern which include (1) Local Government Coordination/Participation, (2) Emergency Responders, (3) Water & Waste, and (4) Air Quality and Miscellaneous. After discussion, Commissioner Reives moved to approve the recommendations presented and send them to the Mining and Energy Commission, a copy of which is attached to these Minutes and by this reference made a part hereof. Commissioner Womack asked to be recused from voting since he serves as Chairman of the Mining and Energy Commission. Upon a vote, the results were as follows to recuse Commissioner Womack from voting:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Upon a vote of Commissioner Reives motion to accept the report, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a proposal for the 2014 Household Hazardous Waste Collection Program. General Services Director Russell Spivey, in Solid Waste Superintendent Joseph Cherry's absence, stated that three qualified proposals had been received to provide a complete turnkey service

for the collection of household hazardous waste for the October 25<sup>th</sup> event to be held at the Dennis Wicker Civic Center on Nash Street. Proposals were received from the following companies:

Clean Harbors Environmental Services  
Reidsville, NC

ECOFLO, Inc.  
Greensboro, NC

MXI Environmental Services, LLC  
Abingdon, VA

Based on information provided in the proposal, Mr. Spivey recommended the Board accept the proposal from ECOFLO, Inc. After discussion, Commissioner Smith moved to approve the proposal from ECOFLO, Inc. for the *2014 Household Hazardous Waste Collection Program*. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered bids for the UHF Filter Expansion for the County Communications System. Emergency Services Director Shane Seagroves stated UHF multi-coupler filters are designed for minimizing interference from adjacent channels and outside systems. These filters enable the Lee County site to operate multiple frequencies on the system without additional cost of multiple antennas at the site. The following bids were received for the above referenced filter expansion:

Fleet Connect, Sanford, NC	\$13,116.50
Sea Coast Communications, Wilmington, NC	\$13,998.25
Comprod Communications, NY	\$15,129.60

After discussion, Commissioner Smith moved to approve the low bid from Fleet Connect, Sanford, NC, in the amount of \$13,116.50 for the *Comprod UHF Filter Expansion* project as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the FY 2015 Seniors Health Insurance Information (SHIP) Grant. Senior Services Director Debbie Davidson asked the Board to approve a contract to receive \$4,171 in grant funding to assist with the FY 2014-15 Medicare Part D enrollment period and volunteer recognition of SHIP counselors. No matching funds are required. Ms. Davidson stated the proposal includes funds to pay for advertising and program supplies to promote the open enrollment period between October 15 and December 7, 2014. A staff person at Senior Services will serve as the agency contact person for the grant. After discussion, Commissioner Reives moved to approve the *FY 2015 Seniors Health Insurance Information Grant* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:



Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a two-month extension of the Lease Agreement for Emergency Medical Services with AMISUB (Central Carolina Hospital). County Manager John Crumpton asked the Board to consider a two-month extension of the existing Lease Agreement and EMS Services Agreement while an addendum and renewals are negotiated between all parties. In 2007, the County of Lee and AMISUB d/b/a Central Carolina Hospital (CCH) entered into seven-year agreements for both Emergency Medical Services and the lease of the county-owned building located at 1218 Central Drive, Sanford. Those agreements expire on September 30, 2014. Both parties are negotiating renewals of both agreements and an addendum to the Lease Agreement. Due to time constraints, it is necessary to extend the current agreements for two months, pending the successful negotiation of the renewals and addendum. Mr. Crumpton stated that CCH currently pays the County a monthly rent of \$5,186.67 for the building, and the County's payment to CCH for EMS services is \$43,750 per month. Commissioner Smith moved to approve the two-month extension of the existing *Lease Agreement* and *Emergency Medical Services Agreement with CCH* as presented. A copy of the Extension Letter is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution awarding Lee County employees with two additional paid vacation days. County Manager John Crumpton asked the Board to consider awarding full-time benefited Lee County employees two (2) additional vacation days at Christmas in lieu of the annual COLA. The two days will be taken by most employees on Monday and Tuesday, December 22 and 23, 2014. By awarding these two days the County will effectively be closing all non-emergency/law enforcement operations for the week of December 22-26, 2014, with offices closed for the entire week. The Lee County Courthouse will be open subject to the court schedule posted by the Clerk of Superior Court. All personnel who have to work on those two days will be allowed to take the additional two vacation days between November 15, 2014 and June 30, 2015. After discussion, Commissioner Smith moved to approve a *Resolution Awarding Two Days of Vacation to County Employees in Lieu of An Annual COLA*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered Budget Amendment # 09/08/14/03. Finance Director Lisa Minter presented said Budget Amendment for the following departments:

Health Department – appropriate additional DEHNR Communicable Disease revenue in the amount of \$50.00.

IT Department – rollover funds from FY 2013-14 budget to purchase door badge control system for the Government Center, Courthouse and Summit buildings.

Social Services – rollover restricted funds from FY 2013-14 budget to the FY 2014-15 budget and funds for a vehicle that was not received by June 30, 2014.

Youth & Adult Services – budget Juvenile Crime Prevention Council (JCPC) funds for FY 2014-15.

E-911 Funds – rollover funds from FY 2013-14 budget to purchase E-911 positron viper system.

After discussion, Commissioner Reives moved to approve *Budget Amendment # 09/08/14/03* as presented, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously.

The *Monthly Financial Report* for July 2014 was presented by Finance Director Lisa Minter. No action was taken.

Commissioner Dalrymple asked the Board to allow staff to compose a Resolution for retiring Broadway Town Manager Bob Stevens for his September 14<sup>th</sup> retirement reception. After discussion, Commissioner Womack moved to approve that a Resolution be drafted, signed by the Chairman, and presented to Town Manager Bob Stevens on behalf of his retirement. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton presented his *Monthly Report for September 2014*, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

Mr. Crumpton discussed with the Board a paving issue on BuckRoe Drive which is a private road located in the northern part of the county off Deep River Road. The property owners along this road are seeking the County's help in bringing the road up to DOT standards so that it can be accepted in the State's Road System. The County has always avoided being involved in private road issues in the past. In this case the developer went bankrupt and did not complete the road to DOT standards as promised. Now the owners along this road are beginning to have problems with selling property due to banks not wanting to make loans. After discussion, it was agreed that the County needed to make sure all legal issues for bankruptcy are resolved. Staff was asked to try to assist and see what issues, if anything, could be done to assist with this issue. No action was taken.

County Manager John Crumpton had received a request from Social Services Director Brenda Potts in reference to donating un-used furniture at the Family & Youth Services Building to needy families. It was noted that the County could only donate to a non-profit organization. After discussion, Commissioner Reives moved to allow the donation of furniture at the Family & Youth Services Building to be donated to a non-profit organization. Upon a vote, the results were as follows;

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack

Nay: None



The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton discussed the upcoming North Carolina Association of County Commissioners (NCACC) Legislative Goals process. Every two years, in the months preceding a long session of the General Assembly, the NCACC asks County's to participate in a process to determine the legislative goals it should seek in the best interest of the counties. Counties are encouraged to submit their proposals to the Association by September 19<sup>th</sup>. The Legislative Goals Committee will meet in November and the Board of Directors will review and finalize recommendations in December. The Legislative Goals Conference is scheduled for January 15-16, 2015, in Moore County where the goals will be approved. Commissioner Smith read a *Resolution Supporting the Repeal of North Carolina Senate Bill 3 – Renewable Energy and Energy Efficiency Portfolio Standard, 2007*. After discussion, Commissioner Reives moved for the Chairman to send a letter to the North Carolina Association of County Commissioners along with the above referenced Resolution, a copy of which is attached to these Minutes and by this reference made a part hereof, to be considered during the Legislative Goals process. Upon a vote, the results were as follows:

Aye: Knecht, Parks, Reives, Smith, and Womack  
Nay: Dalrymple and Frazier

The Chairman ruled the motion had been adopted by a 5 to 2 vote.

Commissioner Smith moved to go into Closed Session to consider matters relating to the location or expansion of a business in the area per North Carolina General Statute §143-318.11(a) (4). Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

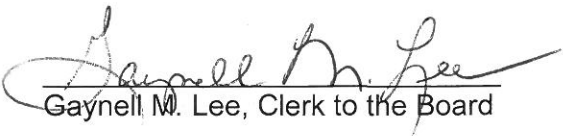
The Chairman ruled the motion had been adopted unanimously and the Board was in Closed Session. Upon returning from Closed Session, with all members present, the regular meeting resumed.

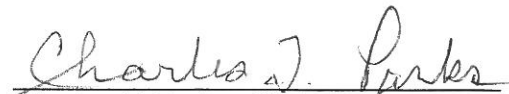
With no further business to come before the Board, Commissioner Reives moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 9:55 pm.

ATTEST:

  
Gaynell M. Lee, Clerk to the Board

  
Charles T. Parks, Chairman  
Lee County Board of Commissioners